

and Hudson: Extending welcome to students and teacher of Lasara School.

S. R. No. 475—By Senators Secrest and Herring: Extending welcome to students and teacher of Carver High School and teacher of Georgetown.

S. R. No. 476—By Senators Secrest and Moore: Extending welcome to students and teacher of Thornton School of Limestone County.

S. R. No. 477—By Senators Secrest and Moore: Extending welcome to students and teacher of Medina High School of Corsicana.

S. R. No. 478—By Senator Moore: Extending welcome to students and sponsors of West Side Elementary School of Hearne.

Adjournment

On motion of Senator Hardeman the Senate at 12:16 o'clock p.m. adjourned until 10:30 o'clock a.m. on Monday, May 15, 1961.

SIXTY-FIFTH DAY

(Monday, May 15, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent—Excused

Dies

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"We thank Thee, our Father, for

a day dedicated to the memory of mother. May the memory of the day draw us closer to Thee; may Thy presence still the storms that threaten us, and out of the dark may we hear Thee say "Peace be still." Save us through Jesus Christ our Lord. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 12, 1961, was dispensed with and the Journal approved.

Leave of Absence

Senator Dies was granted leave of absence for today on account of illness in the family on motion of Senator Moffett.

Reports of Standing Committees

Senator Owen submitted the following report:

Austin, Texas,
May 12, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Oil and Gas, to whom was referred S. B. No. 473, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senator Aikin submitted the following reports:

Austin, Texas,
May 15, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 117, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

Austin, Texas,
May 15, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 1023, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

Senate Resolution 480

Senator Hardeman offered the following resolution:

Whereas, Aware that history is the record of civilization and that the continuing study thereof is a necessity and not an obligation; and

Whereas, Texans are a people to whom the past is forever speaking and who hold regard for the achievements of yesteryear; and

Whereas, There are many Texans who have contributed, and are contributing, to the preservation of the rich and romantic history, legends and traditions of our State, to whom honor is due; and

Whereas, Among them is Frank X. Tolbert, a fourth-generation Texan, native of Amarillo, distinguished author of several historical books, including "An Informal History of Texas" and "The Day of San Jacinto," for which latter book he was awarded the 1960 Western Writers of America Spur Award and the Summerfield Roberts Award for the best Texas book of the year, in addition to writing a daily column known as "Tolbert's Texas," on the history, folklore and legends of the Lone Star State; and

Whereas, It is the desire of the Senate to extend congratulations to Frank X. Tolbert for his efforts and contributions to the preservation of the rich and interesting history, folklore and legends of Texas; now, therefore, be it

Resolved, By the Senate of Texas that it congratulate Mr. Tolbert upon such contributions to the preservation of the interesting and romantic history, legends, folklore and traditions of Texas and Texans, and that a copy of this Resolution, under the Seal of the Senate, be forwarded to Mr. Tolbert, by the Secretary of the Senate as evidence of its recognition of him and his work and as representative of those other distinguished Texans who are likewise contributing to the preservation of such matters.

The resolution was read and was adopted.

Senate Resolution 481

Senator Parkhouse offered the following resolution:

Whereas, The Fourteenth Annual Southern States Apprenticeship Conference will be held in Dallas, Texas, on July 24-28, 1962; and

Whereas, The purpose of this conference is to promote the training of skilled craftsmen in the South; and

Whereas, Skilled craftsmen are essential to industry in America, and without them the vision of the scientist and the blueprint of the engineer could not be transformed into reality; and

Whereas, Apprentice training is one of the most effective methods in the development of skilled craftsmen; and

Whereas, The Senate desires to recognize this conference and to send its best wishes; now, therefore, be it

Resolved, By the Senate of the State of Texas, that the Senate urges all Texas citizens to welcome the Southern States Apprenticeship Conference to our state, recognizing that the progress of Texas industry depends largely upon its skilled manpower.

The resolution was read and was adopted.

Senate Concurrent Resolution 60 on First Reading

Senator Schwartz moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent—Excused

Dies

The following resolution was then introduced, read first time and referred to the committee indicated:

By Senator Schwartz:

S. C. R. No. 60, Granting Texas Gulf Construction Company, Inc., permission to sue the State of Texas.

Whereas, Texas Gulf Construction Company, Inc. is a Texas corporation doing business in the State of Texas in accordance with the laws of the State of Texas; and

Whereas, Said Texas Gulf Construction Company, Inc. entered into a contract with the State of Texas for the construction of certain highway improvement in Galveston County, Texas, same being Project I 45-1(36)002, Control 500-1-39, on U. S. Highway 75, which said contract was signed by the State Highway Engineer, approved by the State Highway Commission of the State of Texas and signed by Texas Gulf Construction Company, Inc., as contracting party, in accordance with the laws of the State of Texas; and

Whereas, In the course of compliance with the terms of said contract, said Texas Gulf Construction Company, Inc. has sustained damages resulting from various causes including, but not limited to, violations of the terms of said contract by agents and officials of the State Highway Department, restrictive limitations placed on days of work and working hours by the agents and officials of the State Highway Department, misrepresentations by the agents and officials of the State Highway Department relative to the condition of adjacent structures and pipelines, unauthorized work stoppages by agents and officials of the State Highway Department, the necessity of performing extra work caused by relocations and changes in surveys and control points, delays caused by inadequate and improper inspection of materials, failure of the agents and officials of the State Highway Department to follow the established course of conduct of contracting parties in situations comparable with those which have risen in connection with the said contract relating to Project I 45-1(36)002, Control 500-1-39; and said Texas Gulf Construction Company, Inc. desires to sue the State of Texas and the State Highway Department of the State of Texas for the damages resulting therefrom; now, therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That Texas Gulf

Construction Company, Inc. be and is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, to recover judgment against the State of Texas and the State Highway Department of the State of Texas for all damages which it may have sustained as the result of breach of contract by or any other actions or omissions of the State Highway Department or any of its officers, agents or employees; and service of citation for the purposes herein granted may be served upon the State of Texas by serving the Attorney General and the Chairman of the State Highway Commission of the State of Texas; and be it further

Resolved, That such suit may be filed within two (2) years from the execution date of this resolution; and be it further

Resolved, That the sole purpose of this resolution is to grant permission to the aforesaid Texas Gulf Construction Company, Inc. to bring suit against the State of Texas and/or the State Highway Department, and no admission of liability of the State or of any fact is made in any way by the passage of this resolution, and it is specifically provided that the facts upon which said Texas Gulf Construction Company, Inc. seeks to recover must be proved in court as in other civil cases.

The resolution was read and was referred to the Committee on Jurisprudence.

Senate Resolution 482

Senator Fuller offered the following resolution:

Whereas, Monsignor James M. Kirwin, Pastor of St. James Church in Port Arthur, will observe his fortieth anniversary of ordination to the priesthood on May 15, 1961; and

Whereas, Monsignor Kirwin is a native of Circleville, Ohio, and received his early education there in Circleville, and then later pursuing his philosophical and theological studies at St. Mary's Seminary in La Porte, Texas, and was ordained to the Priesthood at St. Mary's Seminary on June 15, 1921; and

Whereas, After serving at St. Anthony's Church in Beaumont from 1921 to 1927, and then serving at the Sacred Heart Co-Cathedral in Hous-

ton, Texas, from September 1927 to September 1929; and

Whereas, Monsignor Kirwin assumed the Pastorate of St. James Church in Port Arthur in October of 1929—actually establishing this Parish—and has served there ever since; and

Whereas, Because of his interest in civic affairs and betterment of his community, he has served as President of the Rotary Club of Port Arthur, and Chairman of the Board of the Red Cross in that area, as well as assisting for several years with the Huguen School for Crippled Children in Port Arthur; and

Whereas, It is the desire of the Senate of the State of Texas to pay tribute to the unselfish devotion and service of Monsignor Kirwin and honor him on the observance of his Fortieth Anniversary of ordination to the priesthood; now, therefore, be it

Resolved, That the Senate of the 57th Legislature of the State of Texas congratulate Monsignor James M. Kirwin on this occasion and send greetings and best wishes for a long life yet of service and well-being; and be it further

Resolved that a copy of this resolution be sent to Monsignor Kirwin as a permanent memento.

The resolution was read and was adopted.

Senate Bill 441 on Third Reading

Senator Lane asked unanimous consent to suspend the regular order of business and take up S. B. No. 441 for consideration at this time.

There was objection.

Senator Lane then moved to suspend the regular order of business and take up S. B. No. 441 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Creighton	Parkhouse
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Schwartz
Hazlewood	Secrest
Hudson	Smith
Lane	Weinert
Martin	

Nays—9

Colson	Patman
Crump	Roberts
Herring	Rogers
Kazen	Willis
Krueger	

Absent—Excused

Dies

The President laid before the Senate on its third reading and final passage:

S. B. No. 441, A bill to be entitled "An Act to amend Article 12 of the Election Code of the State of Texas, enacted by Chapter 492, Acts of the 52nd Legislature, Regular Session, 1951, codified as Article 2.04, Election Code, Vernon's Texas Civil Statutes, relating to the formation of election precincts by providing minimums on the number of voters in a precinct; and declaring an emergency."

The bill was read the third time and was passed.

Record of Votes

Senators Moffett, Krueger, Colson, Herring, Kazen, Willis, Roberts, Patman and Rogers asked to be recorded as voting "Nay" on the final passage of S. B. No. 441.

Senator Parkhouse asked to be recorded as voting "Yea" on the final passage of S. B. No. 441.

Committee Substitute

Senate Bill 400 on Third Reading

Senator Calhoun asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 400 for consideration at this time.

There was objection.

Senator Calhoun then moved to suspend the regular order of business and take up C. S. S. B. No. 400 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Gonzalez
Baker	Hardeman
Calhoun	Hazlewood
Colson	Herring
Creighton	Hudson
Crump	Kazen
Fuller	Lane

Moffett	Roberts
Moore	Rogers
Owen	Schwartz
Parkhouse	Secrest
Ratliff	Smith
Reagan	Willis

Nays—4

Krueger	Patman
Martin	Weinert

Absent—Excused

Dies

The President laid before the Senate on its third reading and final passage:

C. S. S. B. No. 400, A bill to be entitled "An Act providing necessary authority and responsibility for the Commissioner of Agriculture to prescribe rules, regulations, conduct inspections, establish grades, classify rose plants, cuttings and bushes; provide for a fee for issuance of certificate of authority; providing for 'Stop Sale' Order; providing for a penalty; a saving clause; and declaring an emergency."

The bill was read the third time and was passed by the following vote:

Yeas—20

Aikin	Kazen
Baker	Lane
Calhoun	Moore
Creighton	Parkhouse
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith

Nays—10

Colson	Owen
Crump	Patman
Krueger	Schwartz
Martin	Weinert
Moffett	Willis

Absent—Excused

Dies

Senate Bill 475 on First Reading

Senator Patman moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—1

Martin

Absent—Excused

Dies

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Patman:

S. B. No. 475, A bill to be entitled "An Act selling certain State owned submerged lands to the City of Port Lavaca, providing for a mineral reservation with right of ingress and egress, for a reversion; and declaring an emergency."

To the Committee on State Affairs.

(Senator Aikin in the Chair.)

Senate Bill 224 on Second Reading

On motion of Senator Reagan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 224, A bill to be entitled "An Act relating to the creation of a National Seashore Area on part of Padre Island and the surrounding submerged lands."

The bill was read the second time.

Senator Reagan offered the following committee amendment to the bill:

Amend S. B. No. 224 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. The surface estate of

that part of the following described lands situated in Kleberg, Kenedy, Willacy and Cameron Counties, to which the State of Texas has title or may acquire title or that have been acquired or that have become vested under any previous Act or Acts, which Congress in its good judgment may require for a National Seashore Area, shall be and are hereby established, dedicated and set apart as a public park for the benefit and enjoyment of the people and shall be known and designated as the 'Padre Island National Seashore' which area is approximately described as follows:

Beginning at a point one (1) mile northerly of North Bird Island on the easterly line of the Intracoastal Waterway; thence due east to a point on Padre Island one (1) mile west of the mean high water line of the Gulf of Mexico; thence southwesterly paralleling the said mean high water line of the Gulf of Mexico, a distance of about three and five-tenths (3.5) miles; thence due east to the two-fathom line on the east side of Padre Island as depicted on the United States Coast and Geodetic Survey chart number 1286; thence along the said two-fathom line on the east side of Padre Island as depicted on United States Coast and Geodetic Survey charts numbered 1286, 1287 and 1288, for a distance of approximately eighty-five (85) miles; thence westerly crossing Padre Island to the easterly line of the Intracoastal Waterway at a point northerly of Three Island; thence northerly following the easterly line of the Intracoastal Waterway as indicated by channel markers in the Laguna Madre to the point of Beginning.

Sec. 2. The Legislature of the State of Texas hereby withdraws from sale the surface estates of all State-owned lands in said area regardless of the purpose or purposes for which they are held and regardless of the instrumentality of the State for which they are held and hereby transfers and conveys all such surface estates to the State of Texas for park purposes only and title hereby vested in the State of Texas for park purposes only, and said surface estates shall become a part of Padre Island National Seashore. The said surface estates hereby transferred and conveyed are conveyed in fee simple title, and the mineral estate with the right of occupation and use of so much of the surface as may be required for all

purposes reasonably incident to the mining or removal of the minerals is hereby specifically reserved.

Sec. 3. The Commissioner of the General Land Office shall prepare a list of the lands now owned in said area by the State of Texas or its instrumentalities for any purpose and deliver a certified copy of such list to the Texas State Parks Board. The surface estate in said lands shall be for recreational park purposes and shall be under the supervision and control of the Texas State Parks Board.

Sec. 4. Immediately after enactment by the Congress of the United States of legislation authorizing the creation of a National Seashore Area on Padre Island, and in consideration of the United States agreeing to establish and maintain said area as a National Seashore Area, the School Land Board of the State of Texas is hereby authorized and directed to execute a deed of conveyance to the United States Government covering such parts of the State-owned lands on Padre Island as may be included in the National Seashore Area, but not to exceed the area described in Section 1 hereof, for recreational parks purposes, and to cede to the United States Government jurisdiction over said lands in conformity with the provisions of Article 5247, Revised Civil Statutes of Texas of 1925. Said deed shall also reserve to the State of Texas the right to retain concurrent jurisdiction with the United States Government over every portion of the lands so ceded, so that all process, civil and criminal, issuing under the authority of this State or any of the courts or judicial officers thereof, may be executed by the proper officers of the State, upon any person amenable to the same within the limits of the land so ceded as the area for the Padre Island National Seashore, in like manner and like effect as if no such cession had taken place; and reserving further to the State the right to levy and collect taxes on sales, use or gross receipts from sales of products or commodities upon which a tax is levied in this State, and to tax persons and corporations, their franchises, properties and incomes, on land or lands deeded and conveyed under the terms of this Act; and reserving also, to persons residing in or on any of the land or lands deeded or conveyed, the right to vote at all elections within

the counties in which said land or lands are located, upon like terms and conditions and to the same extent as they would be entitled to vote in such counties had not such lands been deeded or conveyed as aforesaid to the United States of America.

Said land shall not be conveyed unless the School Land Board is first satisfied that the mineral interest with the right of occupation and use of so much of the surface of the land or waters as may be required for all purposes reasonably incident to the mining, development, or removal of the minerals is protected and the deed to the Federal Government and Federal legislation establishing Padre Island as a National Seashore Area contains the following provisions, to-wit:

The Secretary of the Interior shall permit a reservation by the grantor of all oil, gas, and other minerals in such lands or waters with the right of occupation and use of so much of the surface of the land or waters as may be required for the purposes of development of oil, gas and other minerals. Such permit shall be granted when requested by the Chairman of the School Land Board upon recommendation of the School Land Board of the State of Texas.

Sec. 5. The United States Government, through the Secretary of the Interior or any other agency, is hereby authorized to purchase, condemn, receive, hold and acquire title to the surface estate of any land in the area above described as the Padre Island National Seashore for use as a recreational park; provided that the acquisition of lands in such area shall not affect the mineral estate in the lands so acquired, nor the right of ingress and egress for the purpose of exploring for, developing, processing, storing and transporting minerals from beneath said lands and waters with the right of housing employees for such purposes.

Section 6. The State of Texas requests the United States Government to construct a paved road from Corpus Christi to Port Isabel, and to construct a causeway from Port Mansfield to Padre Island, and to provide such ferries and other bridges as may be necessary in order to make the entire length of the National Seashore Area and adjacent lands accessible to the public; and full cooperation of the State of Texas is pledged in that regard.

Sec. 7. The State of Texas recog-

nizes the lands, spoil banks, easements and rights-of-way owned, leased or otherwise controlled by the Willacy County Navigation District, and requests the United States Government to give every possible consideration to the rights and needs of this governmental unit, so long as such lands and other rights are used solely for public purposes.

Sec. 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 9. All laws or parts of laws in conflict with the provisions of this Act are repealed to the extent of such conflict only.

Sec. 10. The fact that the Department of Interior has recommended the creation of a National Seashore Area on part of Padre Island and surrounding submerged areas as a tourist attraction, a game preserve for migratory waterfowls, a spawning ground for fish, and a controlled area for the study of the sea and its inhabitants; and the fact that the State-owned submerged lands in the proposed park area are presently for sale to certain special districts for One Dollar (\$1) per acre; and the fact that State legislation will encourage the National Congress to create the much needed park; and the fact that a National Park in such area would be of unlimited financial benefit to Texas; and the fact that the right of future generations to go down to the sea should be preserved, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The committee amendment was read.

Senator Hudson offered the committee amendment to pending amendment:

Amend Committee Amendment No. 1, by adding a new Section to be known as Section 1A:

"Section 1A. The Governor of the State of Texas is hereby authorized

to execute a deed of conveyance to the United States covering all of part of the area described herein situated in Kleberg, Kenedy, Willacy and Cameron Counties which is owned by the State of Texas for any purpose, in consideration of the United States agreeing to establish and maintain said area as a national seashore area and to cede to the United States jurisdiction over said lands in conformity with the provisions of Article 5247, Revised Civil Statutes of Texas, 1925. This Senate takes no part in the decision as to the length of said national seashore area, leaving that decision to the National Congress, except that in no event shall said area exceed eighty-eight (88) miles in length.

Said deed or deeds shall reserve oil, gas and other mineral interests to the State with the right of occupation and use of so much of the surface of the land or waters as may be required for all purposes reasonably incident to the mining or removal of the oil, gas and other minerals."

The committee amendment to the pending amendment was adopted.

Senator Hudson offered the following amendment to the pending amendment:

Amend Committee Amendment No. 1 to S. B. No. 224 by deleting the present Section 6 and adding the following Section 6:

Section 6. The Governor shall not execute such deed unless and until the Congress of the United States enacts legislation directing the Secretary of the Interior to construct and maintain a roadway from the northernmost portion of the Padre Island Seashore Area into the park area and through to the southernmost portion of the Padre Island Seashore Area, including a bridge over the Mansfield Cut, so as to provide for public access to the full length of the seashore area set aside as a public recreation area.

The amendment was read.

Senator Reagan moved to table the amendment to the pending amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—16

Baker	Krueger
Colson	Moffett
Creighton	Patman
Crump	Reagan
Fuller	Rogers
Gonzalez	Schwartz
Herring	Secrest
Kazen	Willis

Nays—14

Aikin	Moore
Calhoun	Owen
Hardeman	Parkhouse
Hazlewood	Ratliff
Hudson	Roberts
Lane	Smith
Martin	Weinert

Absent—Excused

Dies

The committee amendment as amended was then adopted.

On motion of Senator Reagan and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Votes

Senators Hardeman and Parkhouse asked to be recorded as voting "Nay" on the passage of S. B. No. 224 to engrossment.

Senate Bill 224 on Third Reading

Senator Reagan moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 224 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Moffett
Baker	Owen
Calhoun	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Roberts
Fuller	Rogers
Gonzalez	Schwartz
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis

Nays—6

Hardeman	Martin
Hudson	Moore
Lane	Parkhouse

Absent—Excused

Dies

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Hardeman, Parkhouse and Calhoun asked to be recorded as voting "Nay" on the final passage of S. B. No. 224.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 15, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 83 by vote of 118 ayes, 0 noes.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 100.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 27.

H. B. No. 66, A bill to be entitled "An Act to provide that it shall be unlawful to sell, give or barter knuckles made of any metal or any hard substance, or a switch blade knife; spring blade knife or throw blade knife; providing for penalties; and declaring an emergency."

H. B. No. 232, A bill to be entitled "An Act to amend Section 2 of House Bill No. 495, Chapter 309, Acts of the 53rd Legislature, Regular Session, 1953, (Article 2460a, Vernon's Annotated Civil Statutes) by providing that the jurisdiction of the Small Claims Court created by said Act shall be increased to include all ac-

tions for the recovery of money only where the amount involved exclusive of costs does not exceed \$100.00; except for certain claims for wages or salary earned, or for work or labor performed under contract of employment, not to exceed \$200.00; and declaring an emergency."

H. B. No. 249, A bill to be entitled "An Act amending Section 9 of Article 8306, the employers' liability and workmen's compensation insurance laws of this State, by providing that the liability of the association for funeral benefits shall not exceed Five Hundred Dollars (\$500); providing a savings clause; and declaring an emergency."

H. B. No. 254, A bill to be entitled "An Act amending Sections 1 and 12 of Chapter 159, Acts of the 54th Legislature, Regular Session, 1955, to enable counties having a population of one hundred twenty thousand (120,000) or more to establish the office of Medical Examiner; and declaring an emergency."

H. B. No. 262, A bill to be entitled "An Act amending Article 4001 of the Revised Civil Statutes of Texas, 1925, to provide that the term merchandise in the Bulk Sales Law shall be construed as including, but not limited to, meat and other edible foods furnished to restaurants, cafes and cafeterias, and declaring an emergency."

H. B. No. 279, A bill to be entitled "An Act to amend Article 4436 of the Revised Civil Statutes of Texas of 1925, as amended by Section 1 of Chapter 453, page 972, Acts of the 56th Legislature, Regular Session, 1959, to authorize all incorporated cities, towns and villages to regulate certain properties within their corporate limits for the purpose of promoting the health, safety, and welfare of the inhabitants of said cities, towns and villages; and declaring an emergency."

H. B. No. 324, A bill to be entitled "An Act amending House Bill 501, Acts of the Fiftieth Legislature, Regular Session, 1947, Chapter 204, codified as Article 6877-1 of Vernon's Civil Statutes, so as to provide that when a county furnishes the sheriff or his deputies with motor vehicles pursuant to the provisions of Subsection (b) of Section 1 of this Act that the sheriff

or his deputies shall be compensated at a rate not to exceed six cents (6¢) per mile, while engaged in the performance of their official duties; providing that this Act shall not repeal Subsection (a) of Section 1 which authorizes the Commissioners Court to furnish the sheriff or his deputies adequate motor transportation, including all expenses incidental to the upkeep and operation of such motor vehicles; providing in the alternative under Subsection (c) of Section 1 of this Act that if the sheriff or his deputies use and operate their own vehicles while engaged in the performance of their official duties anywhere in the State of Texas that such sheriff or his deputies shall be paid not less than eight cents (8¢) per mile nor more than fifteen cents (15¢) per mile for each mile traveled in the performance of these duties; providing for a repealing clause; and declaring an emergency."

H. B. No. 361, A bill to be entitled "An Act providing a procedure for service of process on certain non-residents involved in accidents or collisions involving water craft; and declaring an emergency."

H. B. No. 365, A bill to be entitled "An Act amending Article 5949 of the Revised Civil Statutes of Texas, 1925, as amended, extending the jurisdiction of Notaries Public; providing that this Act shall be anticipatory; and declaring an emergency."

H. B. No. 373, A bill to be entitled "An Act amending Art. 326k-19 of the Revised Civil Statutes of the State of Texas providing for the appointment of a stenographer by District Attorneys in judicial districts containing two or more counties, fixing the maximum salary to be paid such stenographers, providing for the approval and payment of the salary of such stenographer by the Commissioners Courts of the counties in such district, permitting such Commissioners Courts of each county to increase the salary permitted by this Act when the needs of the stenographer requires it and the financial condition of the counties in such district will permit it, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 379, A bill to be entitled "An Act defining and regulating the business of giving bail in criminal and

quasi-criminal cases, actions or proceedings; providing for the licensing of persons, firms and corporations, who engage in that business in any county; providing certain penalties; providing certain exemptions from this Act; providing for appeal from the decision of the Administrator of the Securities Division of the Office of the Secretary of State; providing for administration of this Act by the successor to the Administrator of the Securities Division of the Office of the Secretary of State; providing for licensing fees; declaring legislative intent and declaring an emergency."

H. B. No. 397, A bill to be entitled "An Act to amend Section 3 of Chapter 58, House Bill No. 278, Acts of the Fifty-third Legislature, 1953, providing for the deposit of revenues to the credit of the General Revenue Fund, and declaring an emergency."

H. B. No. 423, A bill to be entitled "An Act eliminating the requirement of separate and privy acknowledgment of a married woman to instruments purporting to be executed by her; amending Articles 1300, 5460, 1299, and 6607, Revised Civil Statutes of Texas, 1925; repealing Articles 6605 and 6608, Revised Civil Statutes of Texas, 1925, and all other laws or parts of laws to the extent only that they conflict with the provisions of this Act; and declaring an emergency."

H. B. No. 441, A bill to be entitled "An Act amending Article 527 of the Penal Code of Texas, 1925, as last amended, by substituting the word obscene for similar words, defining obscene, making it illegal to knowingly possess for sale, keep for sale, manufacture, distribute, assist in the sale or distribution of, or give away an obscene phonograph record, and making a second conviction of a violation of the article a felony; amending Chapter 120, Acts of the 54th Legislature, Regular Session, 1955, by removing the exemption for magazines actually engaged in the factual reporting of current events; providing for severability; repealing all laws in conflict; and declaring an emergency."

H. B. No. 463, A bill to be entitled "An Act amending Article 7094 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapters 162 and 325, Acts of the 55th Legis-

lature, Regular Session, 1957, relating to corporations exempt from payment of the franchise tax; and declaring an emergency."

H. B. No. 469, A bill to be entitled "An Act relating to the acquisition of highway rights of way by Commissioners Courts and cities, and reimbursement of counties and cities for the State's share of the cost thereof; amending Article 6674n of the Revised Civil Statutes of Texas, 1925, as amended, and amending Section 1 of Chapter 301, Acts of the 55th Legislature, Regular Session, 1957, to conform therewith; and declaring an emergency."

H. B. No. 471, A bill to be entitled "An Act to provide for the registration and protection of trademarks and service marks, to define certain terms, to define marks registrable and marks not registrable, to define the requirements for an application for registration, to instruct the Secretary of State as to handling of applications for registration and issuance of certificates of registration, to define the rights and privileges descendent from a registration of a mark, to constitute a registration of a mark constructive notice of a claim of ownership, to provide for judicial review of actions of the Secretary of State concerning marks and applications therefor, to define the term of registrations of marks and provide for renewal thereof, to provide for notification of necessity of renewal, to provide for the assignment of marks and the recordation of such assignments, to provide for cancelling of registrations of marks under conditions defined, to provide for a civil action for the cancellation of a registration of a mark, to define classifications of goods and services in connection with which marks may be used and registered on a single application, to provide a civil action against persons obtaining registrations by making false or fraudulent statements, to provide for the preservation of some common law rights in marks, to define acts which are wrongful as against the owner of a registered mark, to provide for and define remedies for wrongful acts with respect to marks, to provide for the preservation of valid portions of this bill in the event some portion be held invalid, to repeal all prior civil and penal statutory law inconsistent with other terms of this bill, to amend RS

843 and PC 1058 so as to render them not inconsistent with the other provisions of this bill while preserving so much of their meaning as is not law of trade or service marks, and to declare an emergency."

H. B. No. 477, A bill to be entitled "An Act amending Section 13 of the Texas Motor Vehicle Safety-Responsibility Act; exempting certain persons from suspension of driver's licenses, automobile registrations and non-residents' operating privileges; due to non-payment of judgments and declaring an emergency."

H. B. No. 502, A bill to be entitled "An Act to amend Article 6889d of Vernon's Annotated Civil Statutes, Acts 1953, Fifty-third Legislature, Page 56, Chapter 45, so as to compensate constables and deputy constables for transportation or furnish adequate transportation within the State; providing for sworn statements covering such transportation; providing that this Act shall be severable; providing for the repeal of Article 6889c of Vernon's Annotated Civil Statutes, Acts 1951, Fifty-second Legislature, Page 424, Chapter 264; providing this Act be cumulative with all other existing laws; and declaring an emergency."

H. B. No. 630, A bill to be entitled "An Act enabling navigation districts organized under the provisions of Section 59 of Article XVI of the Constitution and coming within the purview of this Act to enact ordinances, rules, and regulations for the purpose of protecting their properties and of promoting the health, safety and general welfare of that portion of the general community using their said properties and the facilities constructed thereon; providing procedure; granting full power to said navigation districts for such purposes; providing certain methods of enforcement and remedies; providing for venue of offenses committed in violation of this Act and such ordinances, and for maximum penalties for such offenses; providing that no ordinance, rule or regulation passed pursuant to the authority granted by this Act shall conflict with any applicable State law; providing for the validity of all parts of the law not declared unconstitutional; and declaring an emergency."

H. B. No. 676, A bill to be entitled "An Act amending House Bill 125,

Chapter 47 of the General and Special Laws of the State of Texas, Fiftieth Legislature, 1947, relating to the operation of vending stands on State property by blind persons so as to enlarge the economic opportunities of the blind, by adding a new section to be known as Section 1 (a) authorizing the State Commission for the Blind to negotiate with heads of departments, boards or commissions and/or divisions of departments, boards or commissions for certain proceeds accruing from vending machines operated for profit by departments, boards or commissions and/or divisions of departments, boards or commissions, to accrue to the blind vending stand operator in said building; and declaring an emergency."

H. B. No. 702, A bill to be entitled "An Act to provide for the exclusion of certain lands from Water Control and Improvements Districts; amending Sections 1, 2, 5 and 6 of Chapter 119, Acts of the 47th Legislature, Regular Session, 1941, as amended and adding a new section, Section 01, thereto; and declaring an emergency."

H. B. No. 712, A bill to be entitled "An Act amending Chapter 7, Title 12, of the Penal Code of Texas, 1925, as amended, by adding a new Article to be known as Article 751a pertaining to dentists and narcotic drugs; providing a severance clause; repealing all laws in conflict; and declaring an emergency."

H. B. No. 744, A bill to be entitled "An Act creating the State Fiscal Study Commission, prescribing its membership and terminating said Commission by August 31, 1965; stating the duties of said Commission and providing the methods for obtaining assistance and staff essential to the accomplishment of its duties; declaring that the provisions of this Act are cumulative to pre-existing law; and containing an emergency clause."

H. B. No. 769, A bill to be entitled "An Act amending Article 2.08 of Chapter 2, of the Insurance Code (Acts of 1951, 52nd Legislature, as amended by the Acts of the 1955, 54th Legislature, page 413, Chapter 117, Section 9, and as amended by Acts of the 1959, 56th Legislature, page 250, Chapter 145, Section 1), to provide that items of minimum capital stock and minimum surplus shall

consist only of cash; bonds of this State or of the United States; other evidences of indebtedness guaranteed as to principal and interest, by the United States; insured first mortgages on unencumbered real estate in this State, provided that investment in such note shall not exceed one-half of the minimum capital stock and minimum surplus of the investing company; and in bonds or other interest bearing evidences of indebtedness of any counties, cities, or other municipalities of this State; and amending Article 2.10, of Chapter 2 of the Insurance Code (Acts of the 1951, 52nd Legislature, as amended by Acts of the 1955, 54th Legislature, page 413, Chapter 117, Section 10, as amended by Acts of the 1959, 56th Legislature, page 96, Chapter 49, Section 1), to provide definite requirements as to types and qualification of securities for the investment of funds in excess of minimum capital and minimum surplus; repealing conflicting laws and parts of laws to the extent of such conflict; containing a savings clause; and declaring an emergency."

H. B. No. 810, A bill to be entitled "An Act amending Section 1 of Chapter 160, Acts of the 43rd Legislature, Regular Session, 1933, as amended, to provide that consolidated trust debentures issued by the Federal Intermediate Credit Bank and by the Bank for Cooperatives are lawful investments for fiduciary and trust funds in this State, and eligible security for public deposits where authorized; and declaring an emergency."

H. B. No. 830, A bill to be entitled "An Act regulating the grading and classification of rose plants, cuttings and bushes; fixing the responsibility of the Commissioner of Agriculture; providing for establishing rules, regulations, orders and requirements; providing for a fee for services; providing a penalty; a savings clause and declaring an emergency."

H. B. No. 840, A bill to be entitled "An Act amending Section 1 of Chapter 300, Acts of the 53rd Legislature, Regular Session, 1953, to provide that the maximum salary for stenographers for county judges in counties with a population in excess of twenty thousand and one (20,001) and less than fifty thousand (50,000) shall be Four Thousand and Eight Hundred Dollars (\$4,800); and declaring an emergency."

H. B. No. 859, A bill to be entitled "An Act authorizing independent school districts to borrow money for current maintenance expenses; providing for the method of evidencing such loans by the issuance of negotiable notes; prescribing the conditions under which such notes may be issued; enacting other provisions related to the subject; providing that this Act is cumulative of Article 28.27 V.A.R.C.S. of Texas; and declaring an emergency."

H. B. No. 912, A bill to be entitled "An Act raising the maximum fees that may be retained by justices of the peace in counties of more than 46,000 and not more than 75,000 persons according to the last preceding Federal census; repealing all laws in conflict; and declaring an emergency."

H. B. No. 951, A bill to be entitled "An Act amending Article 1106a of Vernon's Texas Penal Code, defining the word 'person' and providing that every director, officer, agent, employee, or member of any firm, co-partnership, association, or corporation participating in, aiding, or authorizing any violation of this Act shall be subject to the punishment provided herein; making it unlawful for any person, with exceptions, to open and refill or reuse the container, can, tank, pump, or other distributing device of any manufacturer; processor, or distributor, for the purpose of offering for sale or selling lubricating oils, greases, and similar products therefrom, when said container, can, tank, pump, or distributing device bears the trade-mark, symbol, sign, or other distinguishing mark of said manufacturer, processor, or distributor, or of his products; providing that the possession of any refilled container, can, tank, pump, or distributing device shall be prima facie evidence of possession thereof for the purpose of sale; making it unlawful to imitate the design, symbol, or trade name of recognized brands of gasolines, motor fuels, lubricating oils, greases, or similar products or to expose for sale or sell gasoline, motor fuels, lubricating oils, greases, or similar products under any trade-mark, trade name, or other distinguishing mark, other than those of the manufacturer, processor, or distributor of such products, or to aid or assist any person in the violation of the Act; prescribing penalties; pro-

viding a saving clause; and declaring an emergency."

H. B. No. 971, A bill to be entitled "An Act relating to poll taxes and the payment thereof; amending Article 2.01 of Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, and Section 41 and 75 of the Election Code of the State of Texas (Articles 3.09 and 7.10, Vernon's Texas Election Code); redefining the persons liable for the portion of the state poll tax levied for the benefit of the free schools and for the portion levied for general revenue purposes; clarifying and fixing the time and place for payment; requiring certain information relative to fulfillment of residence requirements on poll tax receipts and lists of qualified voters; providing that no county shall levy a poll tax, but authorizing each county to levy a fee for collecting the state tax, and providing for disposition of the county fee; providing a savings clause; and declaring an emergency."

H. B. No. 998, A bill to be entitled "An Act relating to the licensing of certain Business Brokers and Dealers and Consultants; providing for the definition of certain words and phrases; providing for the administration of this Act; providing for certain exemptions; providing certain procedures, rules and regulations in the licensing and administration of the Act; providing for penalties for the violation of the provision of this Act; and declaring an emergency."

H. B. No. 1036, A bill to be entitled "An Act providing that it shall be unlawful to sell or offer for sale, any rat poison, insect poison, or any other preparation which contains thallium sulphate or any other thallium compound; declaring violation of this Act to be a misdemeanor punishable by a fine and prescribing a penalty for the violation thereof; and declaring an emergency."

H. B. No. 1067, A bill to be entitled "An Act relating to the appointment by the court of interpreters for any person who is deaf or a deaf mute in criminal prosecutions and causes in which such person may be committed to a mental institution; and declaring an emergency."

H. B. No. 1077, A bill to be entitled "An Act revising and rearranging

certain statutes of this State relating to public education into a consistent whole and under a single code to be known as the Texas Public Education Code; providing a severability clause; providing a savings clause; repealing certain enumerated laws and all other laws in conflict; providing for an effective date; and declaring an emergency."

H. B. No. 1102, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Hull Fresh Water Supply District'; prescribing its rights, powers, privileges and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 398, A bill to be entitled "An Act amending Subsection 1(b) of Section 8, Chapter 42, General Laws, Second Called Session, Forty-first Legislature, 1929, as amended, to provide that motor vehicles engaged in transporting passengers for compensation or hire and any commercial vehicle in authorized use as a 'Highway Post Office' vehicle shall observe the same speed limits as those prescribed for all vehicles except commercial vehicles, trucks, tractors, trailers or semi-trailers; and declaring an emergency."

The House refused to concur in Senate amendments to House Bill No. 482 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House appointed the following conferees: Curington, Chairman; Collins, Gibbens, Hollowell, Nugent.

The House has concurred in Senate amendments to House Bill No. 91 by vote of 135 ayes and 0 noes.

The House has concurred in Senate amendments to House Bill No. 111 by vote of 136 ayes, and 0 noes.

The House has concurred in Senate amendments to House Bill No. 137 by non-record vote.

The House has concurred in Senate

amendments to House Bill No. 139 by a non-record vote.

The House has concurred in Senate amendments to House Bill No. 343 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 348 by vote of 142 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 1046 by vote of 138 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 1061 by vote of 131 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 1085 by vote of 138 ayes, 0 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 473 Ordered Not Printed

On motion of Senator Lane and by unanimous consent S. B. No. 473 was ordered not printed.

Senate Concurrent Resolution 61

Senator Ratliff offered the following resolution:

S. C. R. No. 61, Recalling S. B. No. 414 from the Governor for further consideration:

Be It Resolved, By the Senate, the House of Representatives concurring, that Senate Bill 414 be recalled by the Senate from the Governor for further consideration.

The resolution was read.

On motion of Senator Ratliff and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 62

Senator Herring offered the following resolution:

S. C. R. No. 62, Providing Joint Session to hear the Honorable John B. Connally at 11:45 o'clock a.m. on May 22, 1961:

Whereas, It is learned with much interest that the Secretary of the Navy, the Honorable John B. Connally, is to visit in his native State on May 22, 1961; and

Whereas, This outstanding Texan and American by virtue of his ability,

energy and patriotism has assumed this position of leadership in our national government; and

Whereas, It is a source of much pride and satisfaction that this distinguished Texan has brought national recognition to our State; and

Whereas, It is the desire of the Senate of Texas, the House of Representatives concurring, that the Honorable John B. Connally be invited to address a joint session of the Fifty-seventh Legislature; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Honorable John B. Connally be and he is hereby invited to address a joint session of the Fifty-seventh Legislature in the House of Representatives at 11:45 A.M. on May 22, 1961, and that an official copy of this Resolution of invitation be forwarded to him by the Secretary of the Senate.

The resolution was read.

On motion of Senator Herring and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 63

Senator Reagan offered the following resolution:

S. C. R. No. 63, Recalling S. C. R. No. 42 from the Governor's Office for further consideration.

Whereas, S. C. R. No. 42 has been passed by both the House and the Senate and is now in the office of the Governor and requires certain corrections to be made therein; now therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Governor be and he is hereby requested to return S. C. R. 42 to the Senate for correction.

The resolution was read.

On motion of Senator Reagan and by unanimous consent the resolution was considered immediately and was adopted.

Bills and Resolution Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

H. B. No. 105, A bill to be entitled

"An Act amending Section 5 of Chapter 103, Acts of the 41st Legislature, First Called Session, 1929, codified as Section 5 of Article 8263a of Vernon's Texas Civil Statutes, governing elections of Navigation and Canal Commissioners in certain Navigation Districts; providing severability; and declaring an emergency."

S. B. No. 251, A bill to be entitled "An Act providing that an 'Eligible District' as defined herein may by resolution determine to be governed by the provisions of Chapter 25 of the General Laws of the 39th Legislature, Regular Session 1925, as amended, in the assessment, equalization and collection of taxes and performances of certain duties by officials of the district as therein prescribed; providing for the appointment of a tax assessor and board of equalization upon the adoption of such resolution, prescribing the qualifications of such officers, prescribing a procedure for the abolition of such eligible districts; etc.; and declaring an emergency."

S. B. No. 289, A bill to be entitled "An Act to amend Senate Bill No. 97, Chapter 55, Acts of the Fifty-fourth Legislature, Regular Session, 1955, as amended by House Bill No. 110, Chapter 31, Acts of the Fifty-fifth Legislature, Regular Session, 1957, so as to provide and make more certain that oil, gas, and mineral leases executed by personal representatives may provide for their extension beyond their primary terms by shut-in gas wells, and validating such provisions in leases heretofore executed by personal representatives pursuant to the provisions of the Texas Probate Code and still in force; etc.; and declaring an emergency."

S. B. No. 346, A bill to be entitled "An Act amending Article 10.01 of the Texas Business Corporation Act relating to fees charged by the Secretary of State; and declaring an emergency."

S. B. No. 344, A bill to be entitled "An Act amending Article 3913 of the Revised Civil Statutes of Texas, 1925, and repealing Article 3919 of the Revised Civil Statutes of Texas, 1925, relating to fees charged for services by State departments; and declaring an emergency."

S. B. No. 315, A bill to be entitled "An Act providing for the utilization

of the electronic data processing center provided for in Senate Bill No. 404, Acts of the Fifty-sixth Legislature, Regular Session, Chapter 324, Page 704 (codified in Vernon's as Article 4344b, Vernon's Civil Statutes), by agencies of the State; providing the powers and duties of the Comptroller of Public Accounts, and other agencies relating thereto; and declaring an emergency."

S. B. No. 257, A bill to be entitled "An Act amending Section 2a of Article 7057b, Vernon's Revised Civil Statutes of Texas, 1925, as amended, Acts of 1939, 46th Legislature, page 643, Section 2; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 269, A bill to be entitled "An Act concerning the use of facsimile signatures and seals upon public securities and instruments of payment; repealing H. B. No. 725, Acts 1955, 54th Leg., Chapter 293; and declaring an emergency."

S. B. No. 271, A bill to be entitled "An Act to amend Chapter 491, Article 2.11, Acts of the 52nd Legislature, Regular Session, 1951, known as the Insurance Code of Texas, as amended, to extend the time within which insurance companies must hold an annual meeting for the election of directors; and declaring an emergency."

S. B. No. 293, A bill to be entitled "An Act authorizing certain cities to enter into contracts with districts established under Article XVI, Section 59 of the Constitution under which the district will supply to such city sewage transportation, treatment and disposal services which contracts may also provide for use by the district of sewage transportation, treatment and disposal facilities owned by such city; providing the revenues to be received by a district under such contract shall be used by the district for payment of principal of and interest on bonds issued by the district and for payment of expenses of the district and other purposes as provided in such contract; etc., and declaring an emergency."

S. B. No. 304, A bill to be entitled "An Act authorizing and directing the execution and delivery of a right-of-way easement to certain lands in Lubbock County, Texas, by the Board of Directors of Texas Technological College acting by its chairman, to the

City of Lubbock, a municipal corporation of Lubbock County, Texas, for the construction, reconstruction, operation, maintenance and repair of underground and surface electric line and emergency fire alarm signal units in, under and across the campus of Texas Technological College; and declaring an emergency."

S. B. No. 266, A bill to be entitled "An Act amending Section 112(b) of Article 6701d of the Revised Civil Statutes of Texas, relating to mounting height of reflectors on motor vehicles; and declaring an emergency."

S. B. No. 317, A bill to be entitled "An Act to authorize certain counties to borrow money; and to authorize such counties to issue time warrants, or other obligations of such counties as evidence of such loans and to levy and pledge taxes in payment therefor; empowering the county commissioners with authority to approve the issuance of time warrants or obligations; providing for signature on such warrants or obligations by the county judge and county clerk; establishing the validity of such warrants and obligations; providing that if any part of this amendment shall be unconstitutional or invalid for any reason, the remainder shall, nevertheless, be in full force and effect; and declaring an emergency."

S. B. No. 345, A bill to be entitled "An Act amending Article 9.03 of the Texas Non-Profit Corporation Act relating to fees charged by the Secretary of State; and declaring an emergency."

S. B. No. 339, A bill to be entitled "An Act validating Matagorda County Water Control and Improvement District No. 6 and declaring it to be a validly existing and operating conservation and reclamation district under Section 59, Article XVI, Texas Constitution; validating the boundaries of such District; validating governmental proceedings and acts; etc.; and declaring an emergency."

S. B. No. 336, A bill to be entitled "An Act applying to Home Rule Cities which have adopted or attempted to adopt new Home Rule Charters; validating all proceedings had and actions taken in connection with the adoption of such new Charters; providing that the validation provisions of this Act shall not apply to pending litigation questioning the matters hereby vali-

dated if such litigation is ultimately determined against the validity of same; and declaring an emergency."

S. B. No. 367, A bill to be entitled "An Act amending Article 3918 of the Revised Civil Statutes of Texas, 1925, as amended, relating to fees charged for services rendered by the General Land Office; and declaring an emergency."

S. B. No. 429, A bill to be entitled "An Act amending Article 4479 of the Revised Civil Statutes of Texas, 1925, as amended, to allow the commissioners court of a county to compensate the board of managers of county hospitals by furnishing hospitalization insurance; and declaring an emergency."

S. B. No. 442, A bill to be entitled "An Act giving to the Game and Fish Commission regulatory authority over the taking and killing of antlerless deer in San Saba County; etc.; and declaring an emergency."

S. B. No. 434, A bill to be entitled "An Act authorizing Midwestern University at Wichita Falls, Texas, and its Board of Regents to issue revenue bonds and notes pursuant to Chapter 368, Acts 1955, 54th Legislature, Regular Session, as amended (Vernon's Article 2909c, as amended) and also authorizing the collection and pledge of revenues and use fees to the payment of bonds and notes at said institution; providing certain limitations; and declaring an emergency."

S. B. No. 426, A bill to be entitled "An Act amending Article 4521, Revised Civil Statutes of Texas, 1925, so as to provide registration by endorsement of applicants who are registered professional nurses of other states; providing a fee; and declaring an emergency."

S. B. No. 308, A bill to be entitled "An Act relating to investment of proceeds from the sale of bonds, and assessments, equalization and collection of taxes in the West Central Texas Municipal District, amending subsection (g) of Section 12 of Chapter 66, Acts of the 54th Legislature, Regular Session, 1955, and adding a new Section, Section 22, thereto; and declaring an emergency."

S. B. No. 399, A bill to be entitled "An Act creating a Juvenile Board for

Travis County and designating the members thereof; etc.; and declaring an emergency."

S. B. No. 294, A bill to be entitled "An act relating to Tarrant County Water Control and Improvement District No. 1; etc.; and declaring an emergency."

S. B. No. 119, A bill to be entitled "An Act to make uniform the Law of Partnership; defining partnership; defining relations of partners to persons dealing with the partnership; defining relation of partners to one another; defining property rights in partnerships (including those of spouses of partners); providing for dissolution and winding up; defining the rules for distribution of partnership property; providing for interpretation and construction of the Act; providing for cases not provided for herein; providing a severability clause; repealing acts in conflict herewith; and declaring an emergency."

S. B. No. 247, A bill to be entitled "An Act to fix and make certain the amount of compensation to be paid from county funds by counties having a population of 900,000 or more, according to the last preceding federal census and having eight (8) or more Civil District Courts, three (3) or more Criminal District Courts, two (2) or more Domestic Relations Courts, and one (1) or more Juvenile Courts, as compensation to Districts, Criminal Districts, Domestic Relations and Juvenile Judges in such counties; etc., and declaring an emergency."

S. C. R. No. 54, Suspending Joint Rules to consider S. B. No. 117 at any time.

S. B. No. 332, A bill to be entitled "An Act to amend Article 3.10 of the Insurance Code; to provide authority for and limitations upon reinsurance by 'domestic' insurance companies; and declaring an emergency."

S. B. No. 325, A bill to be entitled "An Act amending Section d, Article 4614, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 407, Acts of the 55th Legislature, 1957, relating to the filing by a married woman of a statement of election as to the management of her separate property in counties in which

she owns real estate; and declaring an emergency."

S. B. No. 378, A bill to be entitled "An Act creating a juvenile board in Victoria County; prescribing the membership and powers of the board and providing for the compensation of its members; etc., and declaring an emergency."

Welcome Resolutions

S. R. No. 483—By Senators Martin and Hardeman: Extending welcome

to students and teachers of Jonesboro High School.

S. R. No. 484—By Senator Moore: Extending welcome to students and sponsor of Forest Glade School of Limestone County.

Adjournment

On motion of Senator Hardeman the Senate at 12:27 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

In Memory of H. O. Lane

Senator Hardeman offered the following resolution:

(Senate Resolution 479)

Whereas, Mr. H. O. Lane of Center, Texas, father of our distinguished colleague, Honorable Wardlow Lane, was called to his eternal resting place on April 30, 1961; and

Whereas, Mr. Lane, having been born on August 15, 1878, lived his entire life of more than four score and three years in Shelby County, the home of his fathers; and

Whereas, he successfully engaged in farming and banking in Shelby County—ever believing in and practicing the principles of free competitive enterprise throughout his long life; and

Whereas, With becoming modesty and humility, which ever characterized his activities, he attained a position of influence and leadership which position was maintained as the result of his many contributions for the benefit of his community, as well as to untold individuals whom he helped, not the least among whom were the colored people of the area for whom he had a kindly affection which was reciprocated by their unswerving loyalty and friendship; and

Whereas, He became a member of the Sam Sanford Lodge, No. 149 A.F. & A.M. of Center, in early manhood and ever thereafter was an active member and followed its tenets until his passing; and

Whereas, He married Miss Ora Fonville of Center in 1900, who passed away in 1953, and to which union were born two sons, our colleague, Senator Wardlow Lane, and Honorable Sam Lane, an Assistant Attorney General of Texas; and

Whereas, In 1956 Mr. Lane was married to Mrs. Eva Taylor of Center, who survives him; and

Whereas, It is the desire of the Senate of Texas to recognize the manifold contributions of this "tall man among the tall men of East Texas" to his family, his community and his State, and to commend his good life to those of us who remain, and to express its sympathy to those of his family and friends left to mourn his passing, Now, therefore, be it

Resolved by the Senate of Texas, That it does hereby recognize the long life of Mr. H. O. Lane, filled with worthwhile contributions to his State and his community and express its sympathy to the surviving members of his family and friends, and that copies of this Resolution be sent to the members of his family and to the Sam Sanford Lodge, No. 149, Ancient Free and Accepted Masons, of Center, Texas, by the Secretary of the Senate, under the seal of the Senate of Texas; that a page of the Journal be set aside for this Resolution, and that when the Senate Adjourns today it do so in honor and memory of Mr. H. O. Lane.

HARDEMAN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Calhoun, Colson, Creighton, Crump, Dies, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Kazen, Krueger, Martin, Moffett, Moore, Owen, Parkhouse, Patman, Ratliff, Reagan, Roberts, Rogers, Schwartz, Secrest, Smith, Weinert, Willis.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted by a rising vote of the Senate.